

Application No.: 10/764,571

Docket No.: 713-1029

REMARKS

Applicants appreciate the Examiner's thorough review of the present application, and respectfully request reconsideration in light of the preceding amendments and the following remarks.

Claims 1-6 and 8-21 are pending in the application. The independent claims, i.e., claims 1, 8 and 17 have been amended to better define the claimed invention. New claim 21 has been added to provide Applicants with the scope of protection to which they are believed entitled. No new matter has been introduced through the foregoing amendments.

The Examiner's decision to maintain the previous art rejections is noted. The Examiner's reasons for sustaining the rejections are also noted. Applicants respectfully submit that the Examiner's attempt to read two flat surfaces (i.e., 36 and 38) of *Hinch* on "a flat surface" of rejected claim 1 is improper. Applicant further disagree with the Examiner's holding that one of the two angled surfaces (i.e., 36 and 38) of *Hinch* can be regarded as an extension (as recited in claim 8) or a continuous extension (as recited in claim 17) of the other. The Examiner's repeated rejections are improper for at least the above noted reasons and should not be sustained.

Solely for the purpose of expediting prosecution, Applicants have further amended the independent claims to avoid the Examiner's unreasonable reading of the *Hinch* reference. The amendments are not necessitated by the Examiner's rejections.

In particular, independent claim 1 now recites a single flat surface. *Hinch* teaches two substantially planar surfaces 36, 38 which are not readable on the newly claimed feature.

Independent claim 8 now recites "each of said lateral drilling teeth having a flat surface being coplanar with an extension of one of the flat surfaces of said central drilling tooth." The substantially flat surfaces 36 and 38 of *Hinch* are angled relative to each other and cannot be

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considered coplanar.

Independent claim 17 now recites "each of said lateral drilling teeth having a flat surface which... extends seamlessly without interruption into said one of the flat surfaces of said central drilling tooth." This limitation finds support at element 17 in FIG. 1 of the instant application. In *Hinch*, substantially flat surface 38 does not extend seamlessly into the substantially flat surface 36 as presently claimed due to the interruption at 40 in FIGs. 2 and 5. See also *Hinch* at FIG. 6, which shows a line separating adjacent surfaces 36, 38.

All amended independent claims are therefore believed patentable over the applied art of record. The dependent claims, including new claim 21, should be considered patentable for at least the same reasons.

Each of the Examiner's rejections has been traversed/overcome. Accordingly, Applicants respectfully submit that all claims are now in condition for allowance. Early and favorable indication of allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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